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Pardon Flurry On Nixon's Last Day

Washington

On the day Richard M. Nixon announced his resignation, then White House lawyer James D. St. Clair asked H.R. Haldeman's attorneys to submit proposals for pardons of Watergate figures, sources said yesterday.

As a result, lawyers for the former Nixon chief of staff sent a package of alternate amnesty proclamations to the White House, only hours before Mr. Nixon went on national television August 8.

One was a proposed announcement by Mr. Nixon of "an unconditional pardon for all those (except myself) who have been convicted or who are or may be charged with violations of law in any aspect of what has become known as Watergate in its broadest sense."

Included in that plan was a section dismantling the office of Special Watergate Prosecutor Leon Jaworski.

The second proposal, virtually identical in language, would have included "those who violated the law with regard to the draft . . . for the period of the Vietnam war."

Mr. Nixon, who is said to have rejected a personal Haldeman pardon plea a day earlier, on August 7, made no mention of pardons for anyone in his resignation speech.

The Washington Star-News disclosed the Haldeman pardon proposals yesterday, quoting informed sources. The newspaper's account was confirmed to the Associated Press by one of Haldeman's lawyer Frank H. Strickler, who said "so fas as I know, it is substantially accurate to all parts that we can see."

St. Clair, reached in Boston, had no immediate comment.

Strickler and Hohn J. Wilson, the senior partner in the law firm representing Haldeman in the upcoming Watergate coverup trial, went to work on the pardon proposals in the week of August 5 when reports of Mr. Nixon's imminent resignation were building.

On August 7, Haldeman telephoned Alexander M. Haig Jr., his successor as Mr. Nixon's chief of staff asking to speak with Mr. Nixon personally. Mr. Nixon decided Haig should take the call, and Haig did, with St.

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Clair listening on the line.

"What Haldeman's lawyers did not know, according to high placed White House sources, is that shortly after Haldeman's August 7 telephone call, Mr. Nixon, on the advice of his top aides, rejected the idea of any pardons out of hand," the Star-News story by Barry Kalb said.

But Haldeman was not informed.

Neither was John D. Ehrlichman, Mr. Nixon's former domestic adviser who was already facing prison in the Ellsberg burglary case. The night of August 7, according to sources, he telephoned Mr. Nixon's daughter, Julie, to discuss a pardon with her.

Despite Mr. Nixon's turndown, St. Clair telephoned Wilson and Strickler the afternoon of August 8, asking whether they had some papers for him.

They said they did and sent the amnesty proclamations to the White House.

The Haldeman August 7 call to the White House had been described in a news account earlier as bordering on blackmail, but White House sources categorically denied that. The written Haldeman proposals contain

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no hint of a threat and sources said in his telephone call he suggested a pardon not only for himself and Ehrlichman but for everybody accused in Watergate and related offenses.

The lawyers' proposals were accompanied by a short legal brief on presidential pardon powers and a typewritten copy of Haldeman's own notes on the subject.

Haldeman wrote "on personal basis — better to close the chapter now than to have to sit by helplessly for the next several years and watch trials and appeals."

He noted Mr. Nixon's legal position, saying a general pardon "solves problem of potential prosecutor access to files and tapes by eliminating basis for further prosecution — also solves problem of defense forcing access to files."

And in another paragraph: "You set an inevitable trap for (Gerald) Ford if you don't clear it up completely. This is the one and only chance for a complete end, instead of a partial end."

The three-page proposal for Watergate-only pardons suggested these words to be said by Mr. Nixon:

"As I resign my office and turn it over to my successor, I feel it is vitally important that your new President be able to take office with a clean slate, unhampered by Watergate tragedies. The Watergate has been the cause of unexampled national concern and division."

The second proposal talked about cleaning the slate of the "two great tragedies of my administration. The war in Vietnam and the Watergate matter . . ."

By reading one or the other, Mr. Nixon would have been announcing general pardons for offenders in the Watergate scandals "encompassing 1972 and 1970 election activities and campaign fund raising, ITT, the milk money, the Ellsberg case, the national security wiretaps and any other matter included within the charter granted to the special prosecutor."

It would have dismissed the prosecutor and his staff because there would be no need for further investigation and prosecution.

Associated Press